جامعة نايف العربية للعلوم الأمنية كلية كلية كلية الدراسات العليا قسم العدالة الجنائية

مدي مشروعية أسلحة الدمار الشامل في ضوء أحكام الشريعة الإسلامية

بحث مقدم استكمالاً لمتطلبات الحصول على درجة الماجستير في العدالة الجنائية تخصص السياسة الجنائية

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> إشـــراف د. محمد المدني بوساق

الرياض ١٤٢٥هـــ ٢٠٠٤م

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جامحة نايف الحربية للحلوم الأمنية

Naif Arab University For Security Sciences



College of Graduate Studies

Form No.(26)

Department: Criminal Justice **Specialization:** Criminal Policy

Thesis Abstract - M.A.

Thesis Title: Lawful range of mass destruction weapons in the light of rules of

Islamic Shariaa.

Prepared by: Mahoshiza Haj Abdullah

Supervisor: Dr. Mohammad Al Madani Bosaq

Thesis Defense Committee:

1. Dr. Mohammad Al Madani Bosaq Supervisor & Reporter

2. Prince Dr. Turki Mohammed Saud Member

3. Dr. Ali Abdullah Oseiri Member

Defense Date: 5-4-145H corresponding to 24-5-2004.

Research Problem

The problem concentrate on the answer of the next question.

What is the legal range of mass destruction.

Weapons in Islamic Sharia and international law?

Research Importance

The importance of this research in confining the argument and conflict that arise around the weapons of mass destruction in Sharia and law point of view.

Research Objectives

- 1. Recognize the types of mass destruction weapons as well its effects.
- 2. Recognize the Sharia judgement in respect of mass destruction weapons.

3. Recognize the international law position about the mass destruction weapons.

Research Hypothesis / Questions

- 1. What are the weapons of mass destruction, types and their effects.
- 2. What is the judgement of Sharia about the mass destructive weapons?
- 3. What is the position of international law towards weapons of mass destruction?

Research Methodology

1. Relied on the analytical and inductive method in case of text absence (Al gyas) as well the analyzing method when its available.

Main Results

The results of this research in the following points:

The purpose of Islam in going a legislation aspect to armament is to terrorize the enemy. Also Islam encourages to treat others as they treat Muslims. Islamic countries should insist other countries to get rid of mass destructive weapon, should other countries refuse to response, Islamic countries in this case may breach all treaties signed in such field. As envious enemy nothing can prevent him from assault except the equalization of forces or superiority.

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الفصل التمميدي: منطلقات البحث ومحدّداته.

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الفصل الأول: التعريف بأسلحة الدمار الشامل وأنواعما وآثارها.

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المطلب الأول: تعريف الأسلحة النووية. المطلب الثاني: أنواع الأسلحة النووية. المطلب الثالث: آثار الأسلحة النووية.

المطلب الأول: تعريف الأسلحة النووية.

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[MASS NUMBER(A)]

(NUCLEONS)

$$H_1^1 = C_{12}^6 = U_{92}^{238} =$$

(ISOTOPS)

(RADIO ACTIVE)

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(Thermonuclear Device) (Trigger)

(Thermonuclear Device) (Trigger)

 $H_1^2 + H_1^3 \longrightarrow He_2^4 + n_0^1 + \lambda \sqrt{1} \text{ Mev}$

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المطلب الثاني: أنواع الأسلحة النووية.

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المطلب الأول: تعريف الأسلحة الكيمائية. المطلب الثاني: أنواع الأسلحة الكيمائية وآثارها.

المطلب الأول: تعريف الأسلحة الكيمائية.

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MUSTARD GAS

Thiodiglycol " HCL

.Hydrogen sulphide " Ethylene oxide

Corrosive Resistant

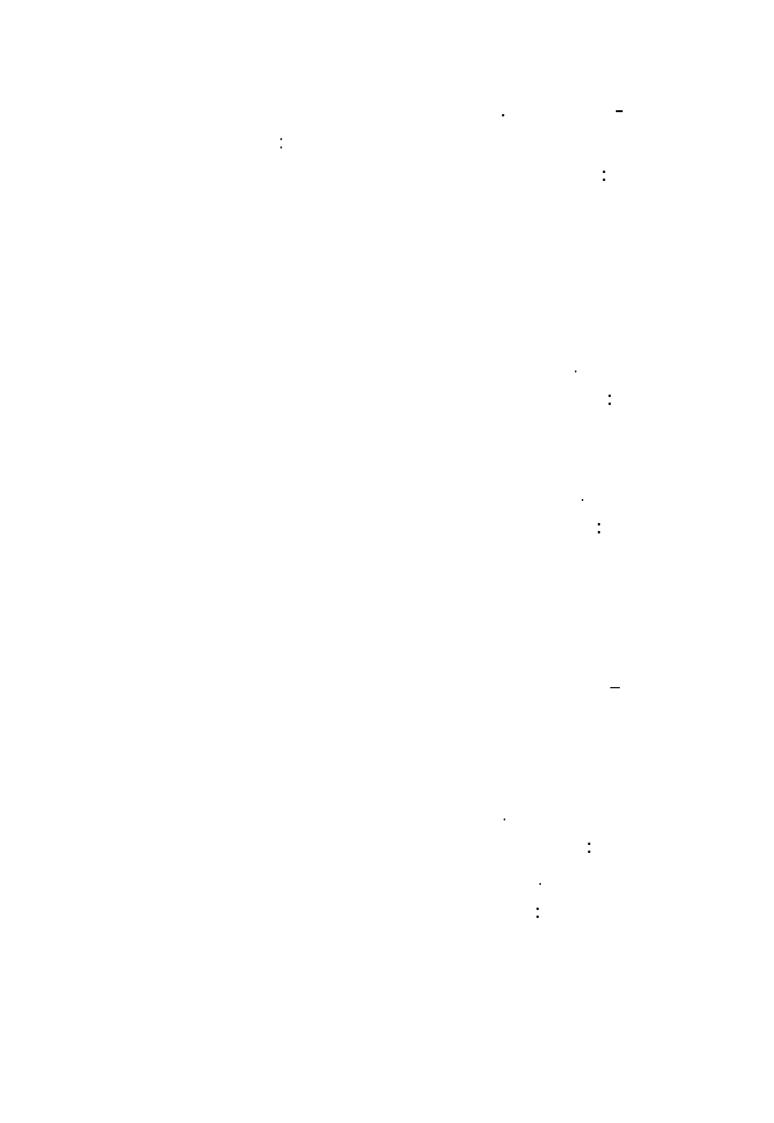
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المطلب الثاني: أنواع الأسلحة الكيميائية وآثارها.

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(Clairsite)

(Papite)

(Manganite) (Forestite)

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(CACODYLIC)
(%) ACID)

المطلب الأول: تعريف الأسلحة البيولوجية.

المطلب الثاني: أنواع الأسلحة البيولوجية وآثارها.

المطلب الأول: تعريف الأسلحة البيولوجية.

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المطلب الثاني: أنواع الأسلحة البيولوجية وآثارها.

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Ricin

(Aids)

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Aids Ebola virus (). :Antrax

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Botulinum Toxins –
Clostridium Botulinum " " (A-G)

Serotype A

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Yersinia Pestis

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% :Bubonic

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:Smallpox -

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Chicken Pox

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Aflatoxin & Mycotoxin

Clostridium Perfringens

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% Footbor Romb

. "Feather Bomb"

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الفصل الثاني: القواعد التي تحكم الحرب في الشريعة الإسلامية

المبحث الأول: أنواع القتال في الإسلام.

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المطلب الأول: آداب القتال في الجهاد وأسلحة الدمار الشامل.

المطلب الثاني: آداب القتال في محاربة المرتدين وأسلحة الدمار الشامل.

المطلب الثالث: آداب القتال في محاربة البغاة وأسلحة الدمار الشامل.

المطلب الرابع: آداب القتال في محاربة قطاع الطرق وأسلحة الدمار الشامل.

المطلب الأول: آداب القتال في الجهاد وأسلحة الدمار الشامل.

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المطلب الثاني: آداب القتال في محاربة المرتدين، وأسلحة الدمار الشامل.

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المطلب الثالث: آداب القتال في محاربة البغاة، وأسلحة الدمار الشامل.

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المطلب الرابع: آداب القتال في محاربة قطاع الطريق وأسلحة الدمار الشامل.

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الفصل الثالث: القواعد التي تحكم أسلحة الدمار الشامل في القانون الدولي.

Tertolyan Voltair Khwan.B.Albirdi .()"

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المطلب الأول: المبادئ الإنسانية التي تحكم سلوك المحادين

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المطلب الثاني: الضرورة العسكرية.

المطلب الثالث: مبدأ الفروسية.

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المطلب الرابع: جرائم الحرب التي وردت في النظام الأساسي للمحكمة الجنائية الدولية.

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المطلب الأول: العرف الدولي

المطلب الثاني: نموذج من نتائج أسلحة الدمار الشامل

المطلب الثالث: حكم أسلحة الدمار الشامل في العرف الدولي.

المطلب الأول: العرف الدولي.

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المطلب الثالث: حكم أسلحة الدمار الشامل في العرف الدولي.

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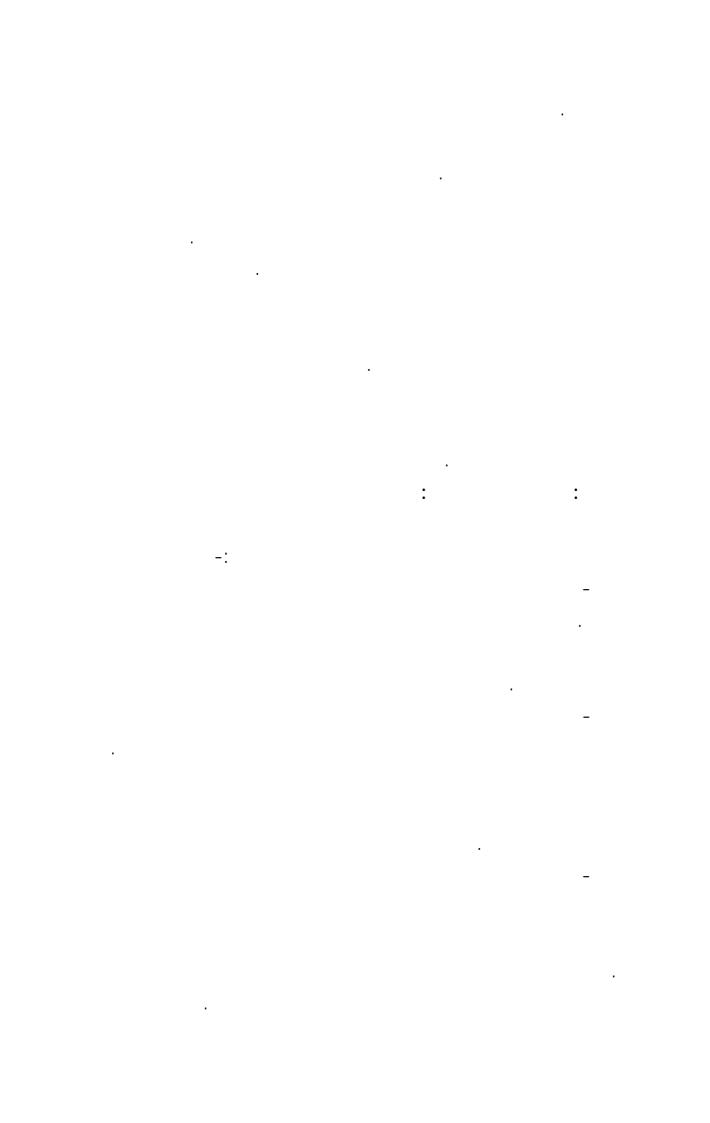
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فمرس المصادر والمراجع:

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فمرس الموضوعات

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